

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

SHERMAN LYNN DIXON §
VS. § CIVIL ACTION NO. 1:05cv683
DIRECTOR, TDCJ-CID §

MEMORANDUM OPINION REGARDING VENUE

Petitioner Sherman Lynn Dixon, an inmate confined in the Coffield Unit of the Texas Department of Criminal Justice, Institutional Division, proceeding *pro se*, filed this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254.

Discussion

In 2003, petitioner was convicted of burglary of a building in the 124th District Court of Gregg County, Texas. He was sentenced to 20 years confinement.

Petitioner filed this petition for writ of habeas corpus in the district in which he was convicted. Pursuant to 28 U.S.C. § 2241(d), a petitioner may bring his petition for writ of habeas corpus in the district in which he was convicted or the district in which he is incarcerated.

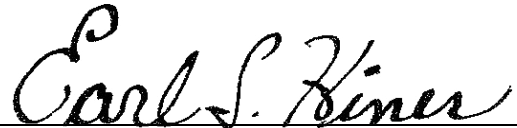
Petitioner was convicted in Gregg County, Texas.

Pursuant to 28 U.S.C. § 124, Gregg County is in the Eastern District of Texas. However, Gregg County is located in the Tyler Division, rather than the Beaumont Division of this court. As all records and witnesses involving this action may be located in

the Tyler Division of this court, the transfer of this action to such division would further justice.

Accordingly, this case should be transferred to the Tyler Division of this court. A Transfer Order shall be entered in accordance with this Memorandum Opinion.

SIGNED this 19 day of October, 2005.

A handwritten signature in black ink, reading "Earl S. Hines", written over a horizontal line.

EARL S. HINES
UNITED STATES MAGISTRATE JUDGE